

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNSEALED AS OF 12/11/07  
**ORDERED SEALED BY COURT**

UNITED STATES OF AMERICA

V.

Daniel Aaron GINDLER

FILED  
DEC - 7 2007

Magistrate's Case No. **'07 MJ 2842**

CLERK U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY

**COMPLAINT FOR VIOLATION**

**OF 18 USC, Section 922(g)(3) –**  
Unlawful user or addict of any controlled  
substance in possession of a firearm

**18 USC, Section 922(g)(9) -**  
Individual convicted of crime of  
domestic violence in possession of  
a firearm.


The undersigned complainant being duly sworn states:

**COUNT 1**

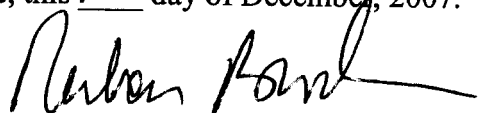
On October 25 2007, within the Southern District of California, defendant Daniel Aaron GINDLER, an unlawful user of a controlled substance did possess a firearm that traveled in and affected interstate commerce, to wit: one Taurus, model PT92AF, a 9mm semi-automatic pistol, bearing serial number TYA54996; in violation of 18 United States Code, Section 922(g)(3).

**COUNT 2**

On October 25 2007, within the Southern District of California, defendant Daniel Aaron GINDLER an individual previously convicted of a misdemeanor crime of domestic violence; did possess a firearm that traveled in and affected interstate commerce, to wit: one Taurus, model PT92AF, a 9mm semi-automatic pistol, bearing serial number TYA54996; in violation of 18 United States Code, Section 922(g)(9).

  
Gordon Geerdes  
Special Agent  
Bureau of Alcohol, Tobacco Firearms  
and Explosives

Sworn to before me and subscribed in my presence, this 7<sup>th</sup> day of December, 2007.

  
UNITED STATES MAGISTRATE

United States of America

v.

Daniel Aaron GINDLER

**Statement of Facts in Support of Complaint**

This statement of facts is based upon my own from my personal participation in the investigation including interviews along with analysis of reports submitted by other Law Enforcement Personnel participating in this investigation.

In violation of the aforementioned statute the following acts were committed in the Southern District of California:

On October 25, 2007, Daniel GINDLER, an individual convicted of a crime of domestic violence, and while under the influence of methamphetamine, illegally trespassed on to Naval Air Station North Island in possession of a firearm. The results of the investigation are as follows:

A review of the Naval Base Coronado Police Incident Report indicates that on October 25, 2007 at about 00:36 AM, on the Naval Air Station North Island Military Base, Patrolman Jose Castillo contacted Daniel Aaron GINDLER on the quarter deck of Helicopter Squadron 11 building 1457. GINDLER had approached the quarterdeck master of Helicopter Squadron 11, and requested information about the military base's chain of command.

After contacting GINDLER, Patrolman Castillo contacted the Naval Criminal Investigations Service, Special Agent (SA)Duran. Upon his arrival SA Duran spoke with GINDLER and determined GINDLER had arrived on the military installation in a silver Dodge Charger bearing California License Plate 5XRA107. A search of the vehicle resulted in the recovery of a small bag containing a white crystalline substance consistent in appearance to methamphetamine, and a loaded 9mm handgun and a extra magazine with a total of 17 rounds of 9mm ammunition. The firearm, ammunition and suspect narcotics was taken and processed as evidence by the Naval Criminal Investigative Service and remains in their custody.

GINDLER was transported to Naval Base Coronado Police Business Office for questioning. GINDLER began showing signs of illness at which time the Federal Fire Department was contacted. GINDLER was transported to Coronado Sharp Hospital for treatment. GINDLER is a diabetic, and prior to hospital personnel administering insulin, a toxicology screen was performed which indicated GINDLER tested positive for methamphetamines. While under observation at Sharp's Medical, GINDLER made the following unsolicited statements "Security sucks on your base, you guys have blinders on," and "people are watching your base and you guys don't have a clue."

On October 31, 2007 I went to the San Diego Superior Court Records Division, and reviewed GINDLER's criminal case files and obtained GINDLER's certified guilty pleas for: California

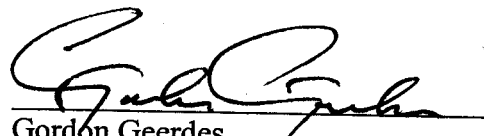
Penal Code 243 (e)(1) Battery in case number M967911-DV, and California Health and Safety Code 11550 Under the influence of a controlled substance in case number M977198. Additionally in paragraph 19 of his guilty plea GINDLER wrote the following to statements in the space provided: "I committed a battery on my live in girlfriend," and "In case M977198 I was under the influence of a controlled substance." The guilty plea to both cases was signed and dated by GINDLER on March 24, 2006.

On November 2, 2007, at approximately 3:10 PM ATF Special Agent Geerdes, and Naval Criminal Investigative Services Special Agent Vinzinski, interviewed Daniel GINDLER at the ATF San Diego Field Office. SA Geerdes told GINDLER that he was not under arrest, he was under no obligation to speak with the Special Agents and he could leave at anytime. GINDLER agreed to speak with the Agents

GINDLER said he has been using methamphetamine for the past 10 years and administers the drug by either smoking or snorting. GINDLER said he has not administered the drug intravenously because he didn't thinks he wouldn't be able to stop, and added he wasn't sure if he could stop using now. GINDLER stated he believed he had only taken a small amount of methamphetamine on the morning of October 25, 2007, but wasn't certain the amount.

GINDLER stated he likes getting on military bases to sightsee and just take a look around. He explained how he gained access to the NAS North Island, he said the guards did everything right, but after being turned around at the gate, he backed up from the turn around, and the guards didn't notice him. GINDLER said he drove around the base and eventually ended up at Building 1457 along the flight line.

Based on the description of the Taurus, model PT92AF, a 9mm semi-automatic pistol, bearing serial number TYA54996, the firearm was manufactured in Brazil and has therefore traveled in and affected international commerce, based on its presence in California.

  
Gordon Geerdes  
Special Agent, ATF

Sworn to before me and subscribed in my presence, this 21 day of December, 2007.

  
UNITED STATES MAGISTRATE